

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|---------------------------|---|---------------------|
| THOMAS ELLIOTT, et al., |) | |
| |) | |
| Petitioners, |) | |
| |) | |
| v. |) | No. 4:25 CV 205 RWS |
| |) | |
| CENTER STREET SECURITIES, |) | |
| INC., et al., |) | |
| |) | |
| Respondents. |) | |

MOTION TO CONFIRM ARBITRATION AWARD

Petitioners bring this action pursuant to the Federal Arbitration Act (FAA) 9 U.S.C. § 9, to confirm the arbitration award entered on February 14, 2025, and served on February 14, 2025 in an arbitration between Petitioners and Respondents regarding securities fraud claims against the Respondents for violating investment-related statutes and regulations, administered by the Financial Industry Regulatory Authority (FINRA), and entry of judgement thereon pursuant to 9 U.S.C. § 13. The arbitrators in the FINRA arbitration proceeding below unanimously found in Petitioners favor on their securities fraud claims against Respondents Center Street Securities, Inc., entering an award of \$212,366.97 plus interest and fees. This Court should confirm the award and enter a judgment thereon.

Since the filing of the petition, Claimants have reached a settlement with

Respondent Kennedy and Kennedy has dismissed his counter-claims. In addition, Respondent, Jack R. Thacker, filed a voluntary petition for bankruptcy in the United States Bankruptcy Court for the Eastern District of Tennessee on March 6, 2025. Which stayed all proceedings against him. As a result, the only remaining Respondent is Center Street Securities, Inc. (“Center Street”).

Center Street failed to answer or otherwise move with respect to the petition to confirm which was filed on February 19, 2025. See, Doc. # 1. The time for Center Street to answer or otherwise move has expired. On May 1, 2025, Petitioners filed a motion for entry of default. Doc. #16.

WHEREFORE, Petitioners request that the Court confirm the underlying arbitration award as requested in their petition to confirm, the default of Respondent Center Street be noted and a certificate of default issued, and enter judgment against Center Street in the amount of \$185,166.65 plus interest as described in the Motion for Entry of default. Doc. #16.

Dated: May 9, 2025

Respectfully Submitted,

/s/ Page Poerschke

Page A. Poerschke

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Attorney for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of May 2025, I caused the foregoing to be served (by mail, by hand delivery, or by electronic notice) on all parties.

/s/ Page A. Poerschke
Page A. Poerschke